

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE: : Bankruptcy No. 24-70043 JAD
: :
Matthew C Barr Michele J Barr : Chapter 13
: :
Debtor : Related to Document No. 38
: :
Matthew C Barr Michele J Barr :
: :
Movant :
: :
vs. :
: :
Reliance Savings Bank T/A Reliance Bank, :
:

MOTION TO RECONSIDER DISMISSAL OF CASE

AND NOW comes the Debtor, Matthew C Barr Michele J Barr, by this entities attorney, Lawrence W. Willis, Esquire, of the law firm of Willis & Associates, and files the within *Motion to Reconsider Dismissal of Case*, and in support thereof avers as follows:

1. Matthew C Barr Michele J Barr, the Debtor in this case filed a voluntary bankruptcy petition under chapter 13 of the Bankruptcy Code.
2. The Motion to Dismiss Case for Abuse Filed by Creditor RELIANCE SAVINGS BANK T/A RELIANCE BANK. On June 19, 2024.
3. A Hearing on Motion to Dismiss Filed by Creditor RELIANCE SAVINGS BANK T/A RELIANCE BANK (RE: related document(s): 35 Motion to Dismiss Case for Abuse filed by Creditor RELIANCE SAVINGS BANK T/A RELIANCE BANK). Hearing scheduled for 7/16/2024 at 10:00 AM via Zoom with Judge Deller with Responses due by July 6, 2024.
4. Amended Chapter 13 Plan Dated 7/5/24 with Notice of Proposed Modification to Plan. Filed by Matthew C Barr, Michele J Barr (RE: related document(s): 19 Chapter 13 Plan).

Conciliation Conference to be held on 8/8/2024 at 11:00 AM at CH 13 zoom location, was filed on July 5, 2024.

5. Default Order Granting Motion to Dismiss Case for Abuse With Prejudice. Both Debtors Dismissed. (Related Doc # 35) was filed on July 11, 2024, however a certificate of no objection had not been filed.
6. The Debtor counsel was out of the office on July 5th and inadvertently had this calendared as a Trustee Certificate of Default and not a Motion to Dismiss this an amended plan was filed without the necessary response on July 5, 2024.
7. The Debtor wishes to have the Order dismissing this case Vacated.
8. Counsel has reached out to the Moving party in an attempt to rectify this situation by consent of the parties.

WHEREFORE, the Debtor herein respectfully requests that this Court enter an order vacating the Order dismissing the Debtor's case.

Respectfully submitted,

Date: July 12, 2024

By: /s/ Lawrence W. Willis, Esquire
Lawrence W. Willis, Esquire
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ORDER

AND NOW on this _____ day of _____, 2024, upon consideration of the *Motion to Reconsider Dismissal of Case*, filed by the Debtor, and upon good cause shown, it is hereby ordered and directed that the Order Dismissing the Case is vacated.

BY THE COURT:

Bankruptcy Judge